

**ORIGINAL**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

- - - - - x

UNITED STATES OF AMERICA

- v. -

PLASIDO DIAZ,  
a/k/a "Luciano Pavarotti,"  
ANGEL PICHARDO,  
a/k/a "Andre,"  
RAFAEL CONTRERAS-ACEVEDO,  
a/k/a "Rafy," and  
FNU LNU,  
a/k/a "Miguel Picalina,"

Defendants.

- - - - - x

:

:

SEALED INDICTMENT

:

14 Cr.

:

:

:

:

:

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 10/31/14
---

COUNT ONE

The Grand Jury charges:

1. From in or about 2012 up to and including in or about 2013, in the Southern District of New York and elsewhere, PLASIDO DIAZ, a/k/a "Luciano Pavarotti," ANGEL PICHARDO, a/k/a "Andre," RAFAEL CONTRERAS-ACEVEDO, a/k/a "Rafy," and FNU LNU, a/k/a "Miguel Picalina," the defendants, and others known and unknown, intentionally and knowingly did combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that PLASIDO DIAZ, a/k/a "Luciano Pavarotti," ANGEL PICHARDO, a/k/a "Andre," RAFAEL CONTRERAS-ACEVEDO, a/k/a "Rafy," and FNU

LNU, a/k/a "Miguel Picalina," the defendants, and others known and unknown, would and did distribute and possess with intent to distribute controlled substances, in violation of Title 21, United States Code, Section 841(a)(1).

3. The controlled substance that PLASIDO DIAZ, a/k/a "Luciano Pavarotti," and ANGEL PICHARDO, a/k/a "Andre," the defendants, conspired to distribute and possess with the intent to distribute was five kilograms and more of mixtures and substances containing a detectable amount of cocaine, in violation of Title 21, United States Code, Section 841(b)(1)(A).

4. The controlled substance that RAFAEL CONTRERAS-ACEVEDO, a/k/a "Rafy," and FNU LNU, a/k/a "Miguel Picalina," the defendants, conspired to distribute and possess with the intent to distribute was one kilogram and more of mixtures and substances containing a detectable amount of cocaine, in violation of Title 21, United States Code, Section 841(b)(1)(B).

(Title 21, United States Code, Section 846.)

FORFEITURE ALLEGATION

5. As a result of committing the controlled substance offense charged in Count One of this Indictment, PLASIDO DIAZ, a/k/a "Luciano Pavarotti," ANGEL PICHARDO, a/k/a "Andre," RAFAEL CONTRERAS-ACEVEDO, a/k/a "Rafy," and FNU LNU, a/k/a "Miguel Picalina," the defendants, shall forfeit to the United States pursuant to Title 21, United States Code, Section

853, any and all property constituting or derived from any proceeds the defendants obtained directly or indirectly as a result of the offense and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the offense charged in Count One of this Indictment.

Substitute Asset Provision

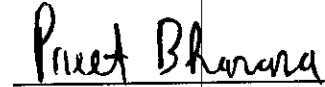
6. If any of the above described forfeitable property, as a result of any act or omission of PLASIDO DIAZ, a/k/a "Luciano Pavarotti," ANGEL PICHARDO, a/k/a "Andre," RAFAEL CONTRERAS-ACEVEDO, a/k/a "Rafy," and FNU LNU, a/k/a "Miguel Picalina," the defendants:

- a. cannot be located upon the exercise of due diligence;
  - b. has been transferred or sold to, or deposited with, a third person;
  - c. has been placed beyond the jurisdiction of the Court;
  - d. has been substantially diminished in value;
- or
- e. has been commingled with other property which cannot be subdivided without difficulty;
- it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any

other property of the defendants up to the value of the above  
forfeitable property.

(Title 21, United States Code, Section 853.)

  
FOREPERSON

  
PREET BHARARA  
United States Attorney

---

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

---

UNITED STATES OF AMERICA

- v. -

PLASIDO DIAZ,  
a/k/a "Luciano Pavarotti,"  
ANGEL PICHARDO,  
a/k/a "Andre,"  
RAFAEL CONTRERAS-ACEVEDO,  
a/k/a "Rafy," and  
FNU LNU,  
a/k/a "Miguel Picalina,"

Defendants.

---

SUPERSEDING INDICTMENT

14 Cr.

(21 U.S.C. § 846)

PREET BHARARA

United States Attorney.

A TRUE BILL

  
Foreperson.

---

10/31/14 Filed Seal Superseding Indictment  
cc A/W issued Judge [signature]  
[signature]